

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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GIUSEPPE MAROTTA et al., )  
                                )  
Plaintiffs                   )  
                                )  
v.                             )                                   C.A. NO. 05-10032-MEL  
                                )  
SUFFOLK COUNTY,             )  
Defendant                    )  
                                )  
                                )

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**MOTION TO AMEND COMPLAINT  
TO ADD ADDITIONAL PARTY PLAINTIFFS**

Now come the Plaintiffs in this action and move to amend their First Amended Complaint by adding as party plaintiffs all 71 individuals who have filed individual consent forms in connection with the Plaintiffs' NOTICE OF FIRST FILING OF FLSA CONSENTS TO SUE (these forms will hereinafter be referred to as "Consent(s).") In support thereof, the Plaintiffs state that each such individual who has filed a Consent has been a correction officer employed by the Defendant Suffolk County, and members of a labor organization, AFSCME Council 93, AFL-CIO, Local 419 (the "Union"). The Union and the Defendant Suffolk County are parties to a collective bargaining agreement, which sets forth terms and conditions of employment that uniformly apply to corrections officers and certain other employees assigned to the Suffolk County House of Correction, including hourly rates of pay, and circumstances in which officers are entitled to receive overtime pay and the addition of certain premiums to their normal hourly rate of pay (hereinafter, "premium pay"). The individuals who have filed their Consents, therefore,

are similarly situated employees within the meaning of 29 U.S.C. § 216(b), and are therefore entitled to intervene in this case as party plaintiffs by filing their Consents. A copy of the Plaintiffs Second Amended Complaint is attached hereto.

The 71 individuals who have filed their Consents and move to be added as party plaintiffs are:

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|------------------------------|------------------------------|----------------------|
| 1. Lesendro Basile           | 36. Bryan Kaiser             | 70. Stephanie Wright |
| 2. Gregory Baker             | 37. Earl Lacaillade          | 71. Robert Zoebisch  |
| 3. Brian Barden              | 38. Shawn Leonard            |                      |
| 4. Joseph Bennett            | 39. Anthony J.<br>Morganelli |                      |
| 5. Crystal Brown             | 40. Charles Mattar           |                      |
| 6. Paul Busa                 | 41. Jarrod McCarthy          |                      |
| 7. Christina Chaney          | 42. John T. McGee            |                      |
| 8. Michael T. Coakley        | 43. Jason McGrane            |                      |
| 9. Sharon Corbin             | 44. Brian McPherson          |                      |
| 10. Daniel Daley             | 45. Robert Milisi            |                      |
| 11. Peter Daly               | 46. Robert Morgan            |                      |
| 12. Lisa Daniel              | 47. Joseph A. Munger         |                      |
| 13. Paul Demille             | 48. Bruce Owens              |                      |
| 14. Edward J. Denehy,<br>Jr. | 49. Jeff Parillo             |                      |
| 15. Neville Depass, Sr.      | 50. William Paul<br>Petersen |                      |
| 16. Michael J. Doherty       | 51. William S. Power         |                      |
| 17. Billy Dowd               | 52. Richard Powers           |                      |
| 18. Robert F. Downs          | 53. Sean Puglsey             |                      |
| 19. Richard J. Flynn         | 54. Richard Rondeau          |                      |
| 20. Thomas J. Flynn          | 55. Christopher D. Ryan      |                      |
| 21. Timothy Frates           | 56. Troy Salvetti            |                      |
| 22. Daniel Galvin            | 57. Edward Sciarratta        |                      |
| 23. James Glavin             | 58. Michael Simpson          |                      |
| 24. Walter Gonzalez          | 59. Janet M. Sinclair        |                      |
| 25. James T. Gorman          | 60. Scott Smith              |                      |
| 26. Barbara Gray             | 61. Brian Solimini           |                      |
| 27. Dennis Guilfoyle         | 62. Jay Tully                |                      |
| 28. Theresa Hall             | 63. Kenneth Sheehan          |                      |
| 29. Michael Haugh            | 64. David Stock              |                      |
| 30. Daniel J. Hickey         | 65. Tom Tucci                |                      |
| 31. Thomas Hogan             | 66. Steve Varney             |                      |
| 32. Annjanette Howard        | 67. Keith Wallace            |                      |
| 33. Dean Johnson             | 68. Antonio Whitfield        |                      |
| 34. John Katikakis           | 69. Davis Williams           |                      |
| 35. James F. Keogh           |                              |                      |

Respectfully submitted,

THE PLAINTIFFS

By their attorney,

/s/ Daniel W. Rice

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